

SALEM PLANNING AND ZONING COMMISSION

(PZC)

REGULAR MEETING

MARCH 18, 2014

7:00

CALL TO ORDER: G. Fogarty called the meeting to order at 7:00.

Present: G. Fogarty, R. Amato, J. Duncan, G. Walter, R. Savalle, E. Wenzel Alt., V. Smith, J. Gadbois Alt., E. Natoli Alt., R. Serra (SECCOG Planner)

Absent: R. LaBonte.

Guests See File Copy

J. Gadbois was seated for LaBonte

PUBLIC HEARING: L. Morrow, 26 Fairy Lake Road-Discuss with possible action proposed zoning regulation changes designed to allow single-family residential property owners the right to keep hens for personal home use. This regulation would be applied on a town-wide basis to building lots of size less than 80,000 square feet. Standards are proposed to ensure minimal impact in a given neighborhood.

R. Serra read the Public Hearing notice into the record as well as the three correspondences from area COG's in response to the referral letters. He gave a background of the issue, describing the zones that hens are allowed and the zones where they are not. He stated there are about 3 areas in town that do not allow the keeping of hens. The areas which will be effected are Residential A zones that have 40,000 sq. ft or less.

G. Fogarty read the Public Hearing Rules

L. Morrow and D. Morrow, applicants stated that the keeping of chickens is a popular backyard hobby. It speaks to sustainability, growing your own food, and fits in with the rural character of Salem. They have researched many towns and most towns allow the keeping of hens in smaller lot sizes than Salem now allows. L.

Morrow stated the proposed regulation would not allow roosters and she stated that hens make very little noise and there is not much odor associated with the keeping of 10 hens.

D. Morrow discussed the issue with his direct neighbors and none of them even knew the Morrows kept chickens and had no problems with the keeping of hens.

G. Fogarty opened up the discussion to people in the audience.

P. Henry, Skyline Drive stated she had no objections to the keeping of hens

E. Chmielewski-stated he knew the Morrows and they are going about it the right way and that allowing the keeping of hens goes to homeowner's rights.

T. Lane-39 Cockle Hill Road-stated he is against it. Hens are farm animals and belong on the farm.

M. Gallagher, 32 Meadow Lane-stated he is against it. In a small neighborhood chickens would smell and make noise. He thought it would open the door to other types of hens including, ducks, geese, and Guiney hens.

L. Morrow stated that all of those are already allowed on 2 acre lots.

W. Martin, Music Vale Rd-thought the proposal was just going to apply to Residential A zones, what about seasonal. He thought it was too broad.

N. Rabe, Silver Valley-stated he had a neighbor who had chickens, Guiney Hens, and goats for tick control. Then he had a neighbor who had a beagle. The beagle barked all the time. He found the beagle much more objectionable than the farm animals.

G. Fogarty asked the Commission members what their thoughts were.

All were in favor of the amendment. Most thought the keeping of 10 hens would not be an issue as far as noise or odor. There were comparisons made to the keeping of hens as opposed to dogs and

the noise and manure dogs can produce. The members discussed limiting the lot size but decided there would be no limits. The Commission decided to change the word hens to female chickens and take out section 3.10.4, e.

M/S/C (Amato/Smith) to close the Public Hearing at 7:40. Vote: Approved Unanimously

M/S/C (Duncan/Smith) to approve the amendment to the regulations of section 3.10, the keeping of female chickens as follows;

Section 3.10 KEEPING OF FEMALE CHICKENS

3.10.1. Purpose. This regulation provides for the keeping of female chickens, as an accessory use to a single-family residential use for non-commercial private home use. It is not intended to limit the keeping of female chickens for agricultural uses where permitted.

3.10.2. This accessory use shall be applicable for single-family residential use only.

3.10.3. This accessory use shall be limited to a maximum flock size of ten (10).

3.10.4. All female chickens shall be confined within a structure and may include a fenced enclosure as follows:

a) No part of any structure or fenced enclosure shall be located closer to the street than the front of the primary residence.

b) No part of any structure shall be located within a side yard or rear yard setback.

c) The structure shall be constructed and all food products kept as to prevent offensive odors or the presence of pests or predators.

d) No female chickens shall be kept inside any structure used for residential purposes.

e. The keeping of female chickens, including waste disposal, keeping area, and the like, shall be conducted in a manner consistent with and in compliance with the State of Connecticut Public Health Code and any applicable animal control regulations or ordinances.

Add definition:

Female Chickens – Female member of the species “*Gallus domesticus*”.

M/S/C (Smith/Gadbois) to put into effect section 3.10 the keeping of female chickens to go into effect April 1, 2014. Vote: Approved Unanimously

PETITIONERS: C Dutch Applicant, Robert Larson Owner-389 Old New London Road. Resub-#14-03-01, re-subdivide into one additional single family rear lot. Schedule Public Hearing

R. Serra gave background on the application. He stated the property is approximately 7.7 acres. The applicant has submitted a complete package and will be notifying abutters. The property abuts East Lyme so letters of referral will go to the Town of East Lyme and the S.E. COG. The plan is being circulated in town hall. The proposed house is a 30 X 40 ft., 3 bedroom house.

M/S/C (Savalle/Amato) to schedule resub #14-03-01 Public Hearing for April 22, 2014 at 7:00. Vote: Approved Unanimously

PUBLIC COMMENT-None

APPROVAL OF MINUTES OF PREVIOUS MEETING(S):

- 1. February 25, 2014
M/S/C (Savalle/Duncan) to approve the February 25, 2014 minutes as amended:**

CALL TO ORDER: ~~R. Amato~~ G. Fogarty called the meeting to order at 7:04.

Vote: Approved Unanimously

OLD BUSINESS

G. Fogarty clarified what her expectations on what she presented at the previous meeting regarding review of the regulations. She did not want to leave the members with the impression that all the regulations would be amended or reviewed. G. Fogarty handed out an example of how to research and revise/amend a regulation.

NEW BUSINESS

1. 2014/2015 Budget

G. Fogarty informed the members she had attended the Board of Finance meeting to present the P&Z budget. The \$7500 will be taken out of the, legal line.

ENFORCEMENT OFFICERS REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT: Submitted (see file copy)

- 1. Town Planner Report-**R. Serra informed the members he had conducted research into Historical Societies and most of them are non-profits, 501 (C) (3) which do not pay taxes.

PLUS/DELTAS:

The Commission discussed the positive and negative aspects of the meeting.

CORRESPONDENCE:

None

ADJOURNMENT:

M/S/C (Walter/Smith) to adjourn at 8:09 PM. Vote: Approved Unanimously.

Respectfully Submitted,

Sue Spang

Recording Secretary